

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-266-C - ORDER NO. 90-532 ✓
MAY 21, 1990

IN RE: Generic Proceeding to Consider) ORDER DENYING
 Intrastate Incentive Regulation) MOTIONS

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Petition to Intervene and Motion for Continuance or Alternative Motion to Set New Schedule filed on behalf of Steven W. Hamm, Consumer Advocate for the State of South Carolina (the Consumer Advocate).

In support of its Motion for Continuance, the Consumer Advocate alleges that there is no statutory time limit imposed on the Commission to issue an Order in this docket; that traditionally the Commission has conducted generic proceedings in a manner which has allowed all parties of record an adequate opportunity to examine the issues involved; that the issues involved in this docket could bring about major changes in the regulation of local exchange companies in South Carolina; and that the date of the scheduled hearing, June 20, 1990 does not give all interested parties an adequate opportunity to assess what they believe the scope of this proceeding should be or what their position is relative to other parties. The Consumer Advocate contends that a continuance is essential. Alternatively, the

Consumer Advocate asks the Commission to consider providing that all companies should prefile their testimony by June 20, 1990, and allow discovery by other parties thereafter before requiring the other parties to prefile their testimony.

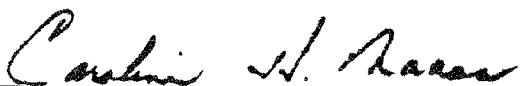
Both Southern Bell Telephone & Telegraph Company (Southern Bell) and United Telephone of the Carolinas (United) filed a Return to the Consumer Advocate's Motions. These Returns were in opposition to the Consumer Advocate's proposal to continue the hearing in this matter. The Commission has considered the request of the Consumer Advocate and finds that it should be denied. The Commission bases its finding on the fact that this hearing has been scheduled since the Commission issued its Order in Docket No. 90-370, dated March 30, 1990. Therein, the Commission set the hearing in this matter to commence on June 20, 1990 at 10:30 A. M. This matter was duly noticed to the public and a copy of the Notice of Initiation of Proceeding was mailed to the Consumer Advocate.

The nature of this generic proceeding is one in which the Commission wishes to consider the views and comments of its jurisdictional telephone utilities, as well as that of its own Staff and the Consumer Advocate. Since this is a proceeding that the Commission instituted, the Commission Staff will take the lead in filing its testimony concerning its ideas on incentive regulation. There is no specific plan sought to be approved by any party and the Commission does not wish that this be a "contested" case under the guidelines of the APA. The Commission

views this proceeding as an opportunity to consider the views of the various jurisdictional telephone companies, the Commission Staff and the Consumer Advocate as to incentive regulation. No specific plan has been proposed for consideration in this docket, but if the result of this proceeding is to institute a specific plan, then it would be appropriate upon the plan's proposal for more investigation and discovery to be conducted. Therefore, the need to bring the affected and interested parties together to discuss the views and comments of incentive regulation is paramount to the Commission. Granting the Consumer Advocate's Motions would unduly delay this generic proceeding, an action which the Commission finds not to be in the public interest. Therefore, the Consumer Advocate's Motions are denied and the hearing will proceed as scheduled on June 20, 1990 at 10:30 A. M., in the Commission's Hearing Room.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)